



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

April 13, 2021

Helen Walter-Terrinoni
VP Regulatory Affairs
Air-Conditioning, Heating, and Refrigeration Institute (AHRI)
2311 Wilson Boulevard Suite 400
Arlington, VA 22201

Reference No. 21-0011

Dear Ms. Walter-Terrinoni:

This letter is in response to your February 4, 2021, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to exceptions for compressed gases in refrigerating machines and their components. Specifically, you ask questions regarding the exceptions provided in §§ 173.307(a)(4)(iii) and (v).

We have paraphrased and answered your questions as follows:

- Q1. You ask whether the exception provided in § 173.307(a)(4)(iii) would apply to refrigerating machines containing 12 kg or less of a flammable, non-toxic liquefied gas, such as “UN3252, Difluoromethane, 2.1” or “UN3161, Liquefied gas, flammable, n.o.s., 2.1,” so long as such units are not offered or transported by air.
- A1. The answer is yes. Refrigerating machines and components thereof, containing 12 kg or less of a flammable, non-toxic gas, including a liquefied gas, are not subject to the requirements of the HMR provided they are not offered or transported by aircraft.
- Q2. You ask whether the exception provided in § 173.307(a)(4)(v) would apply to refrigerating machines containing 100 g or less of a flammable, non-toxic liquefied gas, such as “UN3252, Difluoromethane, 2.1” or “UN3161, Liquefied gas, flammable, n.o.s., 2.1,” regardless of the mode of transportation.

A2. The answer is yes. Refrigerating machines and components thereof, containing 100 g or less of a flammable, non-toxic liquefied gas, are not subject to the requirements of the HMR, regardless of the mode of transportation.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division